

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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In re Richard Byron Fredrickson and  
Lynn Ann Fredrickson,  
Debtor

Case No. 13-27440  
Chapter 13  
Hon. Susan V. Kelley

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Lynn Ann Fredrickson has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue, Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Ryan Blay  
Lakelaw  
6905 Green Bay Road, Suite 101  
Kenosha, WI 53142

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is:

X the Joint Debtor;  
 the Chapter 13 Trustee (post-confirmation modifications only);  
 the holder of an unsecured claim (\_\_\_\_\_ ) (post-confirmation modifications only)

2. This is a request to modify a Chapter 13 Plan (Select A or B):

A.  post-confirmation  
B.  pre-confirmation (select i. or ii.);  
i.  Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or  
ii.  Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:
  - (a) Commencing with the July 2017 plan payment, increase the payments from debtor Richard Fredrickson from \$63 weekly to \$293 weekly for the remainder of the Chapter 13 plan.
  - (b) Permit debtor Richard Fredrickson to withdraw funds from his annuity to pay the remainder of the fees owed to his divorce attorney to allow access to the funds held by Qualified Domestic Relations Order (QDRO).

That this permission be accepted on the condition of providing proof of payment to the Chapter 13 trustee's office.

4. The reason for the modifications are to provide for a feasible plan that would be paid within 60 months and provide access to funds that may be used to pay the plan off early.
5. Select A. or B.

- A.  The Chapter 13 Plan confirmed on September 5, 2013 is modified as follows: See Section 3
- B.  The unconfirmed Chapter 13 plan dated \_\_\_\_\_ is modified as follows:

All remaining items and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW, THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated July 9, 2015 at Kenosha, Wisconsin

LAKELAW

By: : \_\_\_\_\_ /s/ Ryan Blay \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

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The undersigned, an attorney, swears that he did serve a true and accurate copy of the Debtors' Motion to Modify Plan on the date below as follows:

The Chapter 13 Trustee Mary Grossman  
The Office of the United States Trustee  
Attorney Benjamin E Waller, Ward and Smith P.A.

The following were served a copy by US Mail, First Class, proper postage affixed, from Kenosha, WI on the same date:

**Lynn Ann Fredrickson**  
15134 Washington Avenue  
Union Grove, WI 53182

**Richard Byron Fredrickson**  
2426 Grove Avenue  
Racine, WI 53405

**Allstate Insurance Company**  
2775 Sanders Road  
Northbrook, IL 60062

**Benjamin E. Waller**  
Ward and Smith, P.A.  
Post Office Box 8088  
Greenville, NC 27835-8088

**BMO HARIRIS BANK NA**  
770 N WATER STREET, BRK-180-RC  
MILWAUKEE, WI 53202

**BMO Harris Bank**  
Attn: Bankruptcy Department  
111 W. Monroe St.  
Chicago, IL 60603

**BMO Harris Bank**  
770 N. Water Street  
Milwaukee, WI 53202

**ChexSystems** Attn: Consumer Relations  
7805 Hudson Rd. Ste 100  
Saint Paul, MN 55125-1595

**Citi Corp. Credit Cards/Exxon Credit Service**  
Central Bankruptcy Department  
P.O. Box 20507  
Kansas City, MO 64195

**Direct Loans**  
US Dept. of Education  
PO Box 530260  
Atlanta, GA 30353-0260

**Equifax Information Services LLC**

P.O. Box 740256

Atlanta, GA 30374-0256

**Experian**

P.O. Box 2002

Allen, TX 75013-2002

**FedLoan Servicing**

PO Box 69184

Harrisburg, PA 17106-9184

**FedLoan Servicing**

P.O. Box 69184

Harrisburg, PA 17106-9184

**GE Capital Retail Bank**

c/o Recovery Management Systems Corp.

25 SE 2nd Avenue, Suite 1120

Miami, FL 33131-1605

**)Internal Revenue Service**

Centralized Insolvency Operations

P.O. Box 7346

Philadelphia, PA 19101-7346

**Jefferson Capital Systems LLC**

PO BOX 7999

SAINT CLOUD MN 56302-9617

**Kohn Law Firm S.C.**  
735 N. Water St., Suite 1300  
Milwaukee, WI 53202-4106

**Marshall & Ilsley Bank**  
401 N Executive Drive  
Brookfield, WI 53005

**Meadow Ridge of Door County, LLC**  
P.O. Box 78843  
Phoenix, AZ 85062-8843

**Michael F. Dubis Attorney at Law**  
208 E. Main Street  
Waterford, WI 53185

**Onslow County Tax Office**  
39 Tallman Street  
Jacksonville, NC 28540

**Orange Lake Capital Management**  
8505 W. Irlo Bronson Memorial Hwy  
Kissimmee, FL 34747

**PNC Bank**  
2730 Liberty Avenue  
Pittsburgh, PA 15222

**PNC Bank**  
P.O. Box 94982  
Cleveland, OH 44101-4982

**Portfolio Recovery Associates LLC**

P.O. Box 41067

Norfolk, VA 23541-1067

**Racine County Treasurer**

Racine County Courthouse

730 Wisconsin Ave.

Racine, WI 53403

**Racine Dental Group**

1320 S. Green Bay Rd.

Racine, WI 53406

**Recovery Management Systems Corp.**

25 SE 2nd Avenue, Suite 1120

Miami, FL 33131-1605

**Summerhouse on Everett Bay HOA**

c/o Kuester Management Group

P.O. Box 3340

Fort Mill, SC 29708

**Summerhouse on Everett Bay HOA, Inc.**

c/o CAMS

1630 Military Cutoff Road, Ste 108

Wilmington, NC 28403

**Summerhouse on Everett Bay Homeowners Association**

Ward and Smith, P.A.

Post Office Box 8088

Greenville, NC 27858-8088(8404207)

**Summerhouse on Everette Bay HOA Assoc.**

c/o Ward & Smith  
P.O. Box 8088  
Greenville, NC 27835-8088

**Town of Clearfield**

N8856 State Road 80  
New Lisbon, WI 53950

**Town of Yorkville**

925 - 15th Avenue  
Union Grove, WI 53182

**Trans Union Corporation**

P.O. Box 2000  
Crum Lynne, PA 19022-2002

**Tyler J. Russell**

Ward and Smith, P.A.  
Post Office Box 8088  
Greenville, NC 27835-8088

**Wells Fargo Bank, N.A.**

Home Equity Group  
1 Home Campus X2303-01A  
Des Moines, IA 50328-0001

**Wells Fargo Home Mortgage**

P.O. Box 10335  
Des Moines, IA 50306-0335

**Wisconsin Dept. of Revenue**

Special Procedures Unit

P.O. Box 8901

Madison, WI 53708-8901

Dated July 9, 2015 at Kenosha,  
Wisconsin

By: /s/ Ryan Blay

Attorney Ryan Blay

